



July 25, 2003

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th St., SW  
Washington, DC 20554

Re: *Ex parte* presentation in WC Docket No. 03-45, WC Docket No. 02-361

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, I write to report an *ex parte* meeting with staff members of the Commission in connection with the above-referenced proceeding.

On June 27, 2003, Commission staff met *ex parte* by telephone with Lee Tien and Dan Moniz, representing the Electronic Frontier Foundation (EFF). Present at the meeting were the following Commission staff: Jeff Carlisle, Senior Deputy Chief, Wireline Competition Bureau; Tamara Preiss, Chief, Pricing Policy Division, WCB; Jennifer McKee, Staff Attorney, Pricing Policy Division, WCB; Robert Tanner, Acting Legal Counsel, WCB; and Aaron Goldberger, Staff Attorney, Competition Policy Division, WCB.

Our discussion concerned issues of regulatory classification arising out of the petition of Pulver.com in WC Docket No. 03-45 and of AT&T in WC Docket No. 02-361.

Sincerely,

/s/ Lee Tien

Lee Tien  
Senior Staff Attorney  
(415) 436-9333 x102  
tien@eff.org